

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NICK PEARSON, FRANCISCO PADILLA,  
CECILIA LINARES, AUGUSTINA BLANCO,  
ABEL GONZALEZ, and RICHARD JENNINGS,  
On Behalf of Themselves and All Others Similarly  
Situated,

Plaintiffs,

v.

NBTY, INC., a Delaware corporation; and REXALL  
SUNDOWN, INC., a Florida corporation; TARGET  
CORPORATION, a Minnesota Corporation

Defendants.

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THEODORE H. FRANK,

Objector.

Case No. 11-CV-07972

CLASS ACTION

Hon. James B. Zagel

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**NOTICE OF OBJECTOR THEODORE H. FRANK'S MOTION TO UNSEAL**

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To: All Parties and Their Attorneys of Record:

PLEASE TAKE NOTICE that on Friday, October 4, 2013 at 10:30 am or as soon thereafter as counsel may be heard, counsel shall appear before the Honorable James B. Zagel, in courtroom 2503, 219 South Dearborn Street, the courtroom usually occupied by him, and shall then and there present Objector Frank's Motion to Unseal, a copy of which is attached hereto.

Dated: September 23, 2013.

/s/ Melissa A. Holyoak

Melissa A. Holyoak, (DC Bar No. 487759)  
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### **Certificate of Service**

The undersigned certifies she electronically filed the foregoing motion via the ECF system for the Northern District of Illinois, thus effecting service on all attorneys registered for electronic filing. Additionally she caused to be served via First-Class mail a copy of this Notice of Motion to Unseal upon the following:

Peggy Thomas Simone Thomas 2109 N.W. 12th Avenue Ft. Lauderdale, FL 33311
Hon. James B. Zagel United States District Court for the Northern District of Illinois Everett McKinley Dirksen United States Courthouse Chambers 2588 219 South Dearborn Street Chicago, IL 60604

Dated: September 23, 2013

/s/ Melissa A. Holyoak